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UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MIKE
SCHLANSER REGARDING
GOOGLE DRIVE AND GMAIL
MIGRATION**

Trial Date: October 10, 2017

DECLARATION OF MIKE SCHLANSER

I, Mike Schlanser, declare as follows:

1. I am a Senior Engineer at Promevo. I make this declaration based on personal knowledge and, where indicated, my review of Promevo's business records. If called as a witness, I would testify to the facts listed below.

2. Promevo is an information technology reseller and consulting company specializing in G Suite environments. It offers a range of products and services to its customers, including custom app development, user support, and migration services to migrate existing G Suite data to new G Suite domains. I have been employed at Promevo for ten years. I have been a Senior Engineer since 2011. In my role as Senior Engineer, I am responsible for developing and maintaining software applications and systems, including portions of systems Promevo uses to perform data migration, and have trained others in the performance of data migrations.

3. Promevo worked for Uber's technical team to perform the migration of data from the ot.to domain into the Uber.com domain, including both email and Google Drive data, that took place on or about November 5, 2016.

4. It is Promevo's regular practice that, in the course of migrating customer accounts, system records based on information or events concerning the migration are generated by Promevo's migration tools and software, which are operated by an employee with knowledge of the migration. These records of the migration are created and maintained in the ordinary course of business by Promevo. In my role as Senior Engineer, I routinely both create and access such records. The software engineer who handled the November 2016 migration is no longer with Promevo. However, I have access to and have reviewed Promevo's records from the November 2016 migration.

5. I began reviewing Promevo's records of the November 2016 migration on September 28 and 29, 2017, based on an inquiry received from Uber. Based on my review of Promevo's records, the email data in account "a@ottomoto.me" failed to migrate successfully to

1 Uber's domain ¹, and the account "a@ottomoto.me" was the owner of 39 Google Drive files, 29
2 of which were migrated successfully.

3 6. In the course of my review of Promevo's records, I searched and reviewed email
4 messages in the mailbox of the Promevo engineer who had handled the November 2016
5 migration, from around the time of the migration. I did not find an email notifying Uber of
6 migration success or failure for a@ottomoto.me and am not aware that the migration failure was
7 communicated to Uber until September 28, 2017.

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9 I declare under the penalty of perjury that the foregoing is true and correct. Executed this
10 2nd day of October, 2017, in Burlington, Kentucky.

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12 /s/ Mike Schlanser
13 Mike Schlanser
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28 ¹ "ottomoto.me" was a placeholder domain created in connection with the migration. The
account "a@ottomoto.me" is the placeholder for "a@ot.to".

ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. González am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Mike Schlanser has concurred in this filing.

Dated: October 2, 2017

/s/ Arturo J. González

ARTURO J. GONZALEZ